

GALLATIN COUNTY CLERK  
OF DISTRICT COURT  
JENNIFER BRANDON

2008 MAR 5 PM 2 28

MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT, FILED  
BY GALLATIN COUNTY

THE STATE OF MONTANA,  
Plaintiff,  
v.

No. DC-07-303C DEPUTY

SENTENCING ORDER

JACK LAVELL COFFIN,  
Defendant.

\* \* \* \* \*

On March 5, 2008, the above-named defendant appeared for sentencing. The Court previously dismissed Counts 1,2,4, and 5 upon the Plaintiff's motion. It is the order and sentence and judgment of this Court as follows:

1. FOR COUNT 3: Insurance Fraud (Theft), a Felony, in violation of § 33-1-1202, MCA.

- ☒ The imposition of sentence is **Deferred** for a period of 1 year(s) on conditions.
- ☐ The defendant is committed to the Department of Corrections for a period of \_\_\_ year(s).
- ☐ The Court recommends placement in the Corrections Connections Program.
- ☐ The Court recommends placement on ISP.
- ☐ The Court recommends placement in the Montana State Prison.
- ☐ The Court recommends the boot camp program. The defendant may petition the court for a reduction in sentence if the defendant successfully completes the boot camp program.
- ☐ The Court makes no recommendation for placement.
- ☐ The Court suspends \_\_\_ years of the commitment on conditions.

(DUI Felony)

- ☐ The defendant is committed to the Department of Corrections for a Period of (13) thirteen months for placement in an appropriate correctional facility or program. If the defendant successfully completes a residential alcohol treatment program operated or approved by the department, the remainder of the 13-month sentence must be served on probation. The imposition or execution of the 13-month sentence may not be deferred or suspended, and the defendant is not eligible for parole during the 13-month sentence.
- ☐ The Defendant is sentenced to an additional \_\_\_ year(s) at the Montana State Prison that shall be served consecutively to the 13 month commitment to the Department of Corrections and is suspended on conditions.
- ☐ The Defendant is committed to an additional \_\_\_ year(s) to the Department of Corrections that shall be served consecutively to

the 13 month commitment to the Department of Corrections and is suspended on conditions.

☐ The defendant is sentenced to the **Montana State Prison** for a period of \_\_\_\_ year(s).

☐ The Court suspends \_\_\_\_ years of the sentence on conditions.

☐ The defendant is sentenced to the **Gallatin County Detention Center** for a period of \_\_\_\_ months \_\_\_\_ days.

☐ The Court finds the defendant ineligible for participation in the County Work Program.

☐ The Court suspends \_\_\_\_ months \_\_\_\_ days of the sentence on conditions.

## 2. CONDITIONS

The Court orders the following conditions of the order deferring imposition of sentence/suspended portion of the sentence:

☐ The defendant shall pay a fine in the amount of \$\_\_\_\_\_.

☐ The fine shall be paid by the Clerk of Court to the Missouri River Drug Task Force Forfeiture Account.

☐ The fine shall be paid by the Clerk of Court to the Gallatin County/City of Bozeman joint drug forfeiture account

☒ The defendant shall pay all financial obligations as required in this Order.

☒ The defendant shall be placed under the supervision of the Department of Corrections, Probation and Parole Bureau. The defendant shall sign a probation agreement and shall abide by the terms and conditions of that agreement. The defendant shall be subject to any level of supervision, including the Intensive Supervision Program or Treatment Court, as deemed appropriate by the defendant's supervising officer. The defendant shall pay the monthly supervision fee to the Department of Corrections. The defendant shall immediately upon conclusion of Court report to Probation and Parole, 2273 Boot Hill Court, Suite 130, Bozeman, MT 59715, Telephone Number (406)587-5455.

☐ The defendant shall not use or possess alcohol or illegal drugs, (unless prescribed by a licensed physician) nor shall the defendant enter or seek employment at any establishment where alcohol is the chief item of sale.

☐ The defendant shall not enter any casinos or engage in gambling activity.

☒ The defendant's person, residence and vehicle shall be subject to warrantless searches at any time, day or night, by a probation officer, ISP officer or other lawful authority acting under the direction of a probation or ISP officer, to assess compliance with the rules of probation. If the defendant resides with other persons,

all places in the defendant's residence where the defendant has access are subject to search, even those private rooms of other persons with whom the defendant resides, unless those rooms are locked and the defendant does not have access to those rooms.

- ☐ The defendant shall submit to testing of the defendant's breath and bodily fluids, upon the reasonable request of the supervising officer, to detect the presence of alcohol or illegal drugs.
- ☐ The defendant shall obtain a chemical dependency evaluation, at the defendant's own expense and shall follow all recommendations, if requested by the supervising officer.
- ☒ The defendant shall participate in any counseling or treatment deemed appropriate by the supervising officer.
- ☒ The defendant shall not own, possess, or be in control of any firearms or deadly weapons, as defined by state and federal law. (including black powder or chemical agents such as O.C. spray)
- ☐ The defendant shall have no contact with: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ The defendant shall not use, own or possess a checking account.
- ☐ The defendant shall obtain a high school degree or GED.
- ☒ The defendant shall obey all state, federal and local laws.
- ☐ The defendant shall not own, possess, or use credit or debit cards.
- ☐ The defendant must obtain written consent from the defendant's probation officer before starting or incorporating a business, incurring debt, or engaging in financial transactions in excess of \$500.
- ☐ The defendant shall serve \_\_\_\_ days in the Gallatin County Detention Center.
  - ☐ The Court finds the defendant ineligible for participation in the County Work Program.
- ☐ The defendant shall perform \_\_\_\_ hours of community service as approved by: \_\_\_\_ the defendant's probation officer or \_\_\_\_ the Gallatin County Community Service Program and follow the rules and pay the fees of that Program. The following special requirements for community service shall apply \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ The defendant shall successfully complete the Treatment Court Program



- ☐ The defendant shall complete an anger management assessment and follow all recommendations of the counselor. The defendant shall participate in a minimum of 40 hours of counseling.
- ☐ The defendant shall pay for and successfully complete the ACT program.
- ☐ The defendant shall attend the Victim Impact Panel.
- ☐ The defendant shall complete the Gallatin County Re-Entry Program.
  - ☐ If the Defendant participates in the Gallatin County Re-Entry Program the defendant must obey all the rules and regulations governing defendant's conduct at all times defendant is a participant in the Gallatin County Re-Entry Program.
- ☐ The defendant may apply for early discharge of probation and dismissal of charges after \_\_\_ months if all conditions have been satisfied.
- ☐ The defendant shall complete a dangerous drug information course offered by a chemical dependency facility approved by the Department of Health and Human Services. (**Misdemeanor Drug Offenses Only**)
  - ☐ The defendant shall undergo chemical dependency treatment if a licensed counselor recommends treatment.
- ☐ The defendant shall not operate a motor vehicle unless authorized by the defendant's probation officer. If the defendant is permitted to operate a motor vehicle, that vehicle shall be equipped with an ignition interlock system.
- ☐ The defendant shall enter and remain in an aftercare treatment program for the entirety of the probationary period.
- ☐ The defendant shall submit to random or routine drug or alcohol testing.

☐ Other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. ADDITIONAL COUNTS: N.A.

FOR COUNT \_\_: , in violation of §, MCA.

- ☐ The imposition of sentence is **Deferred** for a period of \_\_\_ year(s) on conditions set forth under count \_\_\_\_.
- ☐ With additional condition(s).

- ☐ The defendant is committed to the **Department of Corrections** for a period of \_\_\_\_ years.
- ☐ The Court recommends placement in the Connections Corrections Program.
  - ☐ The Court recommends placement on ISP.
  - ☐ The Court recommends placement in the Montana State Prison.
  - ☐ The Court makes no recommendation as to placement
  - ☐ The Court recommends the boot camp program. The defendant may petition the court for a reduction in sentence if the defendant successfully completes the boot camp program.
  - ☐ The Court suspends \_\_\_\_ years of the commitment on conditions.
- ☐ The defendant is committed to the **Montana State Prison** for a period of \_\_\_\_ years.
- ☐ The Court suspends \_\_\_\_ years of the sentence on conditions.
  - ☐ With additional conditions(s).
- ☐ The defendant is sentenced to the **Gallatin County Detention Center** for a period of \_\_\_\_ months \_\_\_\_ days.
- ☐ The Court finds the defendant ineligible for participation in the County Work Program.
  - ☐ The Court suspends \_\_\_\_ months \_\_\_\_ days.

**Additional Conditions:**

The Court orders the following additional conditions of the order deferring imposition of sentence/suspended portion of the sentence:

- ☐ The defendant shall pay a fine in the amount of \$\_\_\_\_\_.
  - ☐ The defendant shall complete an anger management assessment and follow all recommendations of the counselor. The defendant shall participate in a minimum of 40 hours of counseling.
  - ☐ The defendant shall pay for and successfully complete the ACT program.
  - ☐ The defendant shall attend the Victim Impact Panel.
  - ☐ The defendant shall complete a dangerous drug information course offered by a chemical dependency facility approved by the Department of Health and Human Services. (**Misdemeanor Drug Offenses Only**)
    - ☐ The defendant shall undergo chemical dependency treatment if a licensed counselor recommends treatment.
  - ☐ The defendant shall pay restitution in the amount of \$\_\_\_\_\_.
  - ☐ Other: \_\_\_\_\_
- ☐ Additional Counts are included and incorporated in this sentence as set forth in Appendix A

The Sentences under Counts \_\_\_\_\_ shall each be served

- ☐ consecutively \_\_\_\_\_
- ☐ concurrently \_\_\_\_\_
- ☐ \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

4. ENHANCEMENTS:

- ☐ Pursuant to §46-18-221, MCA, the Defendant shall serve an additional \_\_\_\_\_ years at the Montana State Prison for the use of a firearm or weapon in the commission of the offense. This sentence shall be served consecutively to the sentences imposed under Count(s) \_\_\_\_\_.
- ☐ \_\_\_\_\_ years of the sentence are suspended on the conditions listed under Count \_\_\_\_\_.

5. RESTITUTION:

☒ The defendant shall pay restitution in the amount of \$ 5163.28 as outlined in Exhibit A. The Defendant shall pay a restitution fee (10% of restitution) in the amount of \$ 516.33. Payment shall be made to the Department of Corrections in accordance with Section 46-18-244, MCA.

- ☐ (Misdemeanor cases) The defendant shall pay restitution in the amount of \$ \_\_\_\_\_ as outlined in Exhibit A. The Defendant shall pay a restitution fee (10% of restitution) in the amount of \$ \_\_\_\_\_. Payment shall be made as set forth in the financial obligation section of this order.

6. FINANCIAL OBLIGATIONS

- ☐ The Defendant shall receive credit applied towards fine(s) for time served in pretrial incarceration at the rate of \$69.74 per day.  
( \_\_\_\_\_ ) day(s) x \$69.74 = Total credit \$ \_\_\_\_\_

☒ The Defendant shall pay the following:

Administrative Fees (\$15 per misdemeanor offense; the greater of \$20 or 10% of fine per each felony count)	\$ <u>20.00</u>
Victim Witness Fees (\$50 per offense)	\$ <u>50.00</u>
User surcharges (\$10 per offense)	\$ <u>10.00</u>
Fines (Less Total Credit for time Served)	\$ _____
Restitution (misdemeanor case only)	\$ _____
Restitution fee (misdemeanor case only)	\$ _____

Total Financial obligation of the Defendant \$ 80.00

- ☐ The Defendant shall pay the financial obligation of \$ 80.00 to the Clerk of the District Court, Eighteenth Judicial District, 615 South 16th Avenue, Bozeman, Montana 59715.

☒ The defendant shall pay \$ 80.00 on or before 3/14/2008 by \_\_\_\_\_

- ☐ The defendant shall be allowed time payments in the amount of \$ \_\_\_\_\_.00 per month beginning on \_\_\_\_/\_\_\_\_/\_\_\_\_ or sixty days following the Defendant's release from custody, whichever comes first. Payments are due the first of each month thereafter until the total is paid.



7. FORFEITURE

- ☐ Pursuant to §45-9-206, MCA, property consisting of: \_\_\_\_\_,  
shall be forfeited to the Missouri River Drug Task Force and disposed of in  
accordance with the provisions of §44-12-205, and 44-12-206, MCA.
- ☐ Pursuant to §61-8-733, MCA, the defendant's vehicle shall be seized and  
subject to forfeiture as provided in §61-8-421, MCA.

8. ADDITIONAL TERMS:

- ☐ Pursuant to §46-18-202, MCA, the Court finds the defendant ineligible for  
parole and participation in the supervised release program while serving the  
above term of imprisonment. The reasons for this finding are:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ The defendant shall immediately notify the defendant's present and future  
employer(s) of this conviction.
- ☐ The defendant shall have no contact with any childless than \_\_\_\_ years of  
age.
- ☐ Other conditions imposed pursuant to §46-18-202, MCA: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ The defendant shall register as a violent offender pursuant to §46-23-504,  
MCA.
- ☐ The defendant shall neither possess or use pornography in any form,  
including magazines, books, videos or Internet.
- ☐ The defendant shall attend and successfully complete a sexual offender  
treatment program approved by the Montana Sexual Offender Treatment  
Association. If incarcerated at Montana State Prison the defendant shall  
successfully complete Phases I and II of the Sex Offender Treatment Program  
prior to being eligible for parole.
- ☐ The defendant shall register as a sexual offender pursuant to §46-23-504,  
MCA. The Court hereby designates the defendant at the following sex  
offender level pursuant to §46-23-509, MCA:  
    ☐ Level I;   ☐ Level II;   ☐ Level III
- ☐ The Defendant shall be tested for sexually transmitted diseases pursuant to  
§46-18-256, MCA.
- ☐ The defendant shall receive credit for \_\_\_\_ day(s) previously served.

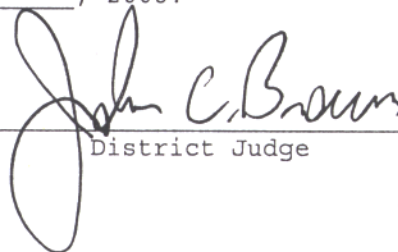
Bond, if any, posted by or on behalf of the defendant, is exonerated and  
shall be released.

If a felony, the reasons for the court's sentence are found in a separate  
document in the court file.

The Clerk shall distribute restitution to the victim(s) as set forth in the Pre-Sentence Investigation Report.

If, either party believes that the written Judgment filed herein does not conform to the oral pronouncement of this Court at the time of sentencing, either the Defendant or the State may request a hearing to modify the written, filed Judgment. **This request must be made by either the State or the Defendant within 120 days of the filing of the written Judgment.** In the event such request is made, a hearing will be held to consider the motion at which the Defendant must be present unless Defendant waives the right to be present. If no request for modification is filed by either the State or the Defendant within 120 days, the right to a modification hearing shall be waived.

DATED March 5, 2008.

  
District Judge

cc:  
Gallatin County Attorney  
Montana State Auditor's Office  
Records Dept of the Gallatin County Sheriff & Bozeman Police Department  
~~Jeff Wade, MRDTE (Drug cases only)~~  
Bozeman Police Department  
Defense Attorney, ~~Public Defender~~  
Gallatin County Detention Center C/C  
Adult Probation/Parole, 20 East Olive, Suite 3E, Bozeman, MT C/C & Information C/C  
~~Dept. of Motor Vehicle, Driver Control, Box 201430, Helena, MT 59620-430~~  
~~(Attach copy of citation)~~  
Montana State Prison/Montana Women's prison C/C & Information C/C  
~~State Board of Pardons, 300 Maryland, Deer Lodge, MT 59722~~  
Clerk of District Court, Restitution Officer ~~via email~~  
Department of Corrections - Restitution, Box 201350, Helena, MT 59620  
~~Tom Weighman - evidence technician~~



EIGHTEENTH JUDICIAL DISTRICT COURT  
EXHIBIT A – RESTITUTION

State v. Jack Lavell Coffin  
DC-07-303C

VICTIM		ADDRESS	RESTITUTION REQUESTED	RESTITUTION ORDERED
1	Travelers Insurance Attn: Claim Finance Central Processing Unit	One Tower Square 3MS Hartford, CT 06183	\$ 4, 887.28	\$
2			\$	\$
3			\$	\$
4			\$	\$
5			\$	\$
6			\$	\$
7			\$	\$
8			\$	\$
9			\$	\$
10			\$	\$
11			\$	\$
12			\$	\$
13			\$	\$